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Co-Lead Counsel for Plaintiffs

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

In re ASYST TECHNOLOGIES, INC.  
 DERIVATIVE LITIGATION

No. C-06-04669-EDL

This Document Relates To:

ALL ACTIONS.

STIPULATION AND ~~PROPOSED~~ ORDER  
 CONTINUING DATE FOR PLAINTIFFS TO  
 FILE AN AMENDED COMPLAINT

1 The parties, by and through their undersigned counsel, have stipulated and agreed, and  
2 hereby jointly move as follows:

3 WHEREAS, on May 23, 2008, the Court issued an Order granting plaintiffs leave to amend  
4 the Consolidated Verified Shareholder Derivative Complaint;

5 WHEREAS, pursuant to the parties' stipulated briefing schedule, which the Court entered on  
6 May 29, 2008, plaintiffs' Amended Consolidated Verified Shareholder Derivative Complaint (the  
7 "Amended Consolidated Complaint") was to be filed and served on or before June 26, 2008;

8 WHEREAS, plaintiff Andrew Anthony Allison is currently out of the country until June 30,  
9 2008, would like to review the Amended Consolidated Complaint before it is filed and is unable to  
10 do so until he returns;

11 WHEREAS, the parties have agreed that plaintiffs should be given a short one-week  
12 extension to file their Amended Consolidated Complaint; and

13 WHEREAS, defendants agree that should the Court decide not to enter an order consistent  
14 with this Stipulation, defendants will not assert that plaintiffs have failed to timely file their  
15 Amended Consolidated Complaint to the extent plaintiffs are acting in reliance on this Stipulation.

16 NOW THEREFORE, it is hereby stipulated by and between the parties that:

17 1. Plaintiffs shall file and serve an Amended Consolidated Complaint on or before  
18 July 3, 2008;

19 2. All agreements addressed in the parties May 28, 2008 Stipulation, which was entered  
20 by the Court on May 29, 2008, that are not mentioned in this Stipulation shall remain in effect; and

21 3. The parties may, in light of this Stipulation, submit a stipulation at a later date to  
22 revise the briefing schedule on defendants' motion to dismiss or other response to plaintiffs'  
23 Amended Consolidated Complaint.

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1 DATED: June 25, 2008

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5  
6 /s/

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18 Co-Lead Counsel for Plaintiffs

19  
20 DATED: June 25, 2008

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22  
23 /s/

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28 Counsel for Plaintiff Andrew Anthony Allison

1 DATED: June 25, 2008

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5 \_\_\_\_\_/s/  
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10 Counsel for Defendants

11 \* \* \*

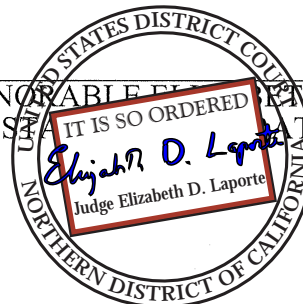
12 **[PROPOSED] ORDER**

13 Good cause appearing from the foregoing Stipulation, IT IS SO ORDERED.

14 1. Plaintiffs shall file and serve an Amended Consolidated Complaint on or before  
15 July 3, 2008.

16 DATED: June 26, 2008

17 THE HONORABLE ELIZABETH D. LaPORTE  
18 UNITED STATES DISTRICT COURT  
19 NORTHERN DISTRICT OF CALIFORNIA  
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CERTIFICATE OF SERVICE

I hereby certify a true and exact copy of the foregoing document has been served on all filing users indicated on the attached Electronic Mail Notice List through the Court's electronic filing system on this the 25th day of June, 2008.

/s/ Marc M. Umeda

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## Mailing Information for a Case 3:06-cv-04669-EDL

### Electronic Mail Notice List

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### Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

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